



COOLOOLA SHIRE COUNCIL

AGENDA

of the

GENERAL MEETING

CHAIRMAN: Cr M Venardos OAM (Mayor)

**Held in the Boardroom
Old Bank Building
Cnr Nash & Channon Streets,
Gympie Qld 4570**

**On Tuesday 4 December 2007
at 8.00 am**



Cooloolooloo Shire Council

GENERAL AGENDA

*Mayor MJ Venardos OAM (Chairman),
Crs. CR Chapman OAM, FG Nissen AM, NR Ellis, LJ
Friske, R. Owen, SS Jocumsen, DR Neilson, IT
Petersen, WJ McIntyre, WW Sachs, J Watt and M.
Prior.*

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SECTION 1: OPEN WITH PRAYER

ONE MINUTES SILENCE TO BE OBSERVED FOR DECEASED
COOLOOLA SHIRE RESIDENTS

SECTION 2: APOLOGIES

SECTION 3: CONFIRMATION OF MINUTES OF PREVIOUS GENERAL MEETING

(MOTION: That the Minutes of the General Meeting held on 27
November 2007 be taken as read and confirmed.)

SECTION 4: PETITIONS

4/1 Feral Peacocks

Re: Feral Peacocks
From: Mr A. Hamilton, 19 Power St, Neerdie, 4570 and 10 signatories.
File: CA94/00019 Doc ID 855139
Date: 21 November 2007

"We the undersigned rate payers and residents of Neerdie have read and agree with the contents of this letter.

"I would like to bring to your attention to a problem which this community has suffered for nigh on six months.

Three peacocks (or to be precise two cocks and one hen) roam this area at will and seem to have decided that this is home. They appeared out of the scrub one day and despite best efforts to find an owner none could be found.

Over the past months this problem has been communicated to the council by various members of the community, my wife and myself included. It appears that officialdom ducks for cover and automatically denies responsibility in any matter where there are apparently grey areas. The council will accept responsibility for the capture and killing of wild dogs and feral pigs which I presume is stated clearly somewhere in the shires accepted functions.

When faced with the problem of feral peacocks (I'm sure that home is Asia Minor and the sub continent of India) the following advice has been given;

1. *contact the RSPCA*
2. *contact the Wildlife Refuge*
3. *contact the Police*
4. *contact Ian Adermann of Curra – Peacock owner (this advise from Wildlife)*

Speaking to each of the above, elicited sympathy and some advice. One piece of advice was “why don't you shoot the buggers” and “you can't discharge a firearm in a built up area”. (Police)

However each of the above suggested that we get in touch with our shire Council as they were the obvious ones with the authority and the resources to deal with this particular problem.

At night the peacocks roost in trees and/or roof tops and their cries go on all through the night. I have personally had to climb onto the roof, block off my rainwater tanks and flush their droppings away. Health hazard? They trample through flower and veg gardens destroying plants. They are not wanted and I think that the council should bite the bullet, stop thinking of reasons why they don't want to do this and spend a small portion of the rates you collect to relocate these PESTS.”

Recommendation: (Acting Chief Executive Officer – C. Manson)

That the Petition be received and referred to the Health & Community Services Manager for investigation and report to the next General Meeting to be held on 11 December 2007.

SECTION 5: ADOPTION OF PLANNING AND DEVELOPMENT COMMITTEE RECOMMENDATIONS
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(MOTION: That the Recommendations of the Planning and Development Committee Meeting held on 27 November 2007 as presented, be received.)

(MOTION: That the Recommendations of the Planning and Development Committee Meeting held on 27 November 2007 (as amended), be adopted.)

**SECTION 6: REPORT BY PLANNING & DEVELOPMENT
CHAIRMAN (Cr D.R Neilson)**

**SECTION 7: FINANCE DEPARTMENT MATTERS (Y.
Oliver)**

7/1 Insurance Renewal 2007/2008

Re: Insurance Renewal 2007/2008
From: Rhiannon Alexander, Account Executive, Jardine Lloyd Thompson,
PO Box 2321, Fortitude Valley BC Qld 4006
File: FI94/00001
Date: 27 November 2007

"We have negotiated quotations for the forthcoming insurance period based on information provided by you.

Please find enclosed your Renewal Report.

To enable timely placement of your covers, we ask for your written instructions by 30 November 2007. Please contact us if you have any questions as we would be happy to explain any part of the report or help you with any other insurance needs."

Report: (Principal Finance Officer – Expenditure – I Kuhn)

The total amount for the 2007/2008 insurance is \$366,235.36. The amount for 2006/2007 was \$359,380.40. This represents an overall increase of 1.9%. The only increase has occurred in the motor vehicle premium, due to additional units being insured.

As per council resolution G26/11/05 this is now the third year of the three year submission from Jardine Lloyd Thompson – due to expire on 30 November 2008.

Confirmation from Jardine Lloyd Thompson has been received to inform Council that the insurances have been renewed with effect from 4.00pm on 30 November 2007.

Recommendation: (Finance Manager – Mrs YJ Oliver)

That the information be received and endorsed.

SECTION 8: PLANNING & DEVELOPMENT DEPARTMENT MATTERS (M. Hartley)
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8/1	Petition re Report from Council's Director of Planning & Development relative to Council's assessment of building height and compliance etc.
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At the General Meeting of Council held on 27 November 2007, Cr Owen tabled the following Petition regarding a report from Council's Director of Planning & Development relative to Council's assessment of building height and compliance etc.

MINUTE G88/11/07 – REFERS.

From: G.A. Howe, 52 Rumbalara Avenue, Rainbow Beach Qld 4581 and 9 other signatories

"We, the undersigned ratepayers and residents of the Cooloola Shire, draw your attention to the report made by the Director of Planning to Council's General Meeting of 27-11-07 regarding previous petitions enquiring about Council's assessment of building height and compliance. The report recommends that Council accept it and note its contents.

We request Council to note that these contents still provide no adequately definitive answers to the simple and explicit questions which have been repeatedly asked.

Consequently we ask yet again that council provide sound and pertinent answers to these questions, namely:

➤ ***How does Council determine natural ground level?***

*The report mentioned confirms the vital importance of Natural Ground level as a value within the calculation of building height. It states how it is used. However in no part of the report does the Director explain how Council actually determines this value if and when contention arises, **which it does – often!***

➤ ***What are Council's entitlements and policies toward assessment and enforcement of building compliance?***

Saying, as the report does, 'preliminary advice suggests' only tells us that more advice is needed. When will this more complete advice be forthcoming?

Additionally the only response action described is the 'most effective and expensive' one 'for a severe offence'. How expensive is such action, and what is the cost of not taking it? What other options are available? The overall question reasonably requires a full report on the range of options available to Council and its policy and standards for variously employing them.

These questions are neither a trivial nor a passing issue within the Rainbow Beach community. We respectfully request that it be dealt with accordingly."

Minute G88/11/07 resolved as follows:-

THAT THE PETITION BE RECEIVED AND REFERRED TO THE DIRECTOR OF PLANNING & DEVELOPMENT TO INVESTIGATE AND REPORT TO THE GENERAL MEETING OF COUNCIL TO BE HELD ON 4 DECEMBER 2007.

Report: (Director of Planning & Development – M. Hartley)

Late Report to be tabled.

SECTION 9: CORPORATE SERVICES MATTERS (Cr M.J Venardos OAM, C. Manson, B. Hayes)

9/1 2006/07 Signed Financial Statements

Re: 2006/07 Signed Financial Statements
 From: Brett Buntain, Love & Partners Chartered Accountants, P O Box 299,
 MAROOCHYDORE QLD 4558
 File: FG94/00007 Doc ID: 854939
 Date: 20 November 2007

"The Cooloola Shire Council audit for the year ended 24 June 2007 has been completed and the general purpose financial statements have been audited and certified without qualification. I have attached the original copy of these statements for Council records.

For your information, a number of matters of moderate and low business or financial risk were referred to the Chief Executive Officer during the course of the audit and satisfactory remedial action has been advised.

This referral letter constitutes the report that is required to be tabled at the next ordinary Council meeting in accordance with s.530(4) of the Local Government Act 1993 (the Act).

A copy of this report has been provided to the Chief Executive Officer. A copy will also be forwarded to QAO and the Honorable the Minister of Environment, Local Government, Planning and Women as required by s.530(2) of the Act.”

Recommendation: (Mayor M.J. Venardos OAM)

For Council’s information.

9/2a	Agendas and Minutes on Website – Minute G92/11/07 refers
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Re: Agendas and Minutes on Website – Minute G92/11/07 refers
 From: Acting Director of Corporate Services, Mr B. Hayes
 File: FG94/00067
 Date: 28 November 2007

At the General Meeting of Council held on 27 November 2007 it was resolved vide minute G92/11/07 that Recommendation F26/11/07 of the Recommendations of the Administration & Finance Committee Meeting held on 20 November 2007 be withdrawn and referred to the General Meeting of Council to be held on 4 December 2007 in conjunction with the Petition received today.

The petition is reproduced below for Council’s information.

*“Many residents and local businesses become alarmed when they read about proposed/pending developments in the paper. It is not impossible to inform the public about pending planning meeting agendas & meeting outcomes by posting them on the CSC website. Councillors receive agendas/minutes on the Thursday or Friday before Tuesdays meeting. They have been typed & formatted electronically. With the tap of a few buttons there is no reason why they can not be placed on the CSC website immediately, as opposed to Council Meeting minutes only, albeit 3 weeks after said meeting.
 I give notice of the motion:*

"That CSC places its committee meeting and general meeting agendas & minutes on the CSC website immediately after they are typed & ready for distribution to Councillors".

Report: (Acting Director of Corporate Services – B. Hayes)

Council is being asked to consider if it wishes to make the current full format meeting agendas publicly available via the Council website.

Section 464 (4) of the Local Government Act 1993 requires that a list of items to be discussed at a meeting must be open to inspection at the time the agenda is made available to Councillors. Importantly, this list of items need only be a list or schedule of subject headings, ie. something significantly different from Council's current agenda format which contains the full detail of reports to be considered and recommendations suggested by officers or committees for adoption.

There is no legal requirement for Council to make the current full format agenda publicly available.

Council may wish to consider posting a summary 'contents page' format to the website. The actual format such a summary page should take would require further investigation by staff.

Further, are all meeting agendas to be made available online or only specific meetings, such as Planning and Development, which was the initial issue raised by Cr Prior?

A wide variety of staff across all departments are responsible for compiling and signing off on the agendas. On many occasions late items are required for meeting agendas. The final document, including late items, that becomes the agenda as discussed at the meeting is often not known until the day of the meeting itself. This makes the prospect of posting a complete and correct meeting agenda electronically on the web in advance a difficult task.

Further investigation with appropriate staff across the various departments will be required on this matter prior to being able to give a firm commitment timing wise as to when an accurate electronic meeting agenda could be made available on the website.

G69/10/07

That the information be received.

Carried

G70/10/07

That the matter of summary pages or full meeting agendas being made publicly available online via the Council website, be referred to the Acting Director of Corporate Services to investigate further and report back to the November Administration & Finance Committee Meeting.

Carried

Report: (Acting Director of Corporate Services– B Hayes)

Discussions with staff from the various departments involved in preparing Council agendas have indicated that electronic versions of meeting agendas would normally be available for upload to the Council website by close of business on the Friday preceding the Tuesday meeting date.

This would exclude any late items. Items to be considered ‘in committee’ would obviously not be made public via the website. Where delays in finalising agendas occur due to the volume of content, delays in getting information for reports, PC network issues, staff availability etc., the website upload may not occur until the Monday morning prior to the Tuesday meetings.

Technical issues outside of Council staff control eg. problems relating to the commercial web host service, internet access problems etc., could further extend the time frames prior to the agendas being available for the public to view online.

A review of fifteen Queensland Council websites has shown a variety of approaches presently being undertaken by Councils with respect to the online availability of meeting agendas from Council websites ie. :-

- No meeting agendas available online
- Full format meeting agendas available online
- Summary only meeting agendas available online

As reported previously, Council need only ensure that a list of items to be discussed at a meeting is open to inspection at the time an agenda is made available to Councillors.

Should Council wish to make its meeting agendas available online, further direction will be required as to whether the current full agenda or a summary only (contents page) format is to be uploaded to the website.

9/2b	Petition re Council Minutes/Agendas on website
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Cr Prior tabled the following Petition at the General Meeting of Council held on 27 November 2007:-

From: Dennis Etheridge, 19 Atlantis Avenue, Cooloola Cove plus 21 other signatories

Re: Placement of Agendas on Website

“We, the ratepayers and residents of Cooloola Council wish to draw to the attention of the Council our continuing desire for open and accountable government by you. In particular we seek Council’s agreement to place full Agendas of all Committee meetings on the Council website by close of business Friday and to have minutes of all Committee meetings on the website not more than 48 hours after the meeting.

We wish to respectfully point out that many residents and ratepayers live considerable distances from Gympie and that the current and proposed trial arrangements would involve them in significant cost and time to oversight the business of council. Only the arrangements proposed above would allow them to adequately monitor decisions and issues being dealt with by Council and we urge Council to introduce this long overdue reform.”

G86/11/07 Moved: Cr M Prior Seconded: Cr R. Owen

That the Petition be received and referred to the Acting Chief Executive Officer for investigation and report to the General Meeting of Council, to be held on 4 December 2007 for further consideration.

Report: (Acting Director of Corporate Services – B Hayes)

A late report will be tabled.

9/3	Letter of Thanks
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Re: Letter of Thanks
 From: Toni Powell, Festival Director, Heart of Gold Film Festival, PO Box 726, Gympie Qld 4570
 File: AG05/00975 Doc ID:856845
 Date: 7 November 2007

“I just wanted to thank you again for your support of the festival. The festival was a wonderful success with 100% up on ticket sales and huge positive feedback.

We gave out surveys and while we have not really analysed them yet we have found that of the 400 or so who filled it out:

50% were from out of Gympie postcode with people coming from as far away as Melbourne (saw an article in the Age and Sydney (heard about last years) and Western Australia (saw Australian Story).

398 had a very positive experience and that is across ages from 14 to 81 !

Virtually all said they would come again and tell others about it.

Our schools program was very successful with 1500 kids attending and very positive feedback from students and teachers.

The support Council gave us was totally ESSENTIAL and much appreciated.

As you are probably aware we have a vision to impact the world in a positive way with films such as we show at the festival and in doing so change the way people treat each other. You have contributed to a very special and important event.

I have included another copy of the program and also the trailer for the festival for your records.

Thank you for your support and generous hearts!!”

Recommendation: (Mayor M.J. Venardos OAM)

That the information be received and the Festival Director from the Heart of Gold Film Festival be congratulated on the conduct of a very successful Festival.

SECTION 10: LATE ITEMS

SECTION 11: GENERAL BUSINESS

SECTION 12: FOR YOUR INFORMATION

- Department of Transport and Regional Services – 2005/2006 Local Government National Report.

- The CODLine – Issue No. 17 November 2007.
- United Synergies Ltd Annual Report 2006 - 2007.
- Queensland Ombudsman Annual Report 2006 – 2007.
- Centrelink Information – A Guide to Payments & Services 2007-08

Recommendation: (Acting Chief Executive Officer – C Manson)

That the information be received.

SECTION 15: IN COMMITTEE MATTERS